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**FAX TRANSMISSION****DATE:** October 5, 2005**PTO IDENTIFIER:** Application Number 10/638,234-Conf. #4108  
Patent Number**Inventor:** Jacques V. Snick et al.**MESSAGE TO:** US Patent and Trademark Office**FAX NUMBER:** (571) 273-8300**FROM:** FULBRIGHT & JAWORSKI L.L.P.

Norman D. Hanson

**PHONE:** (212) 318-3168**Attorney Dkt. #:** NY-LUD 5582.1 DIV (10019655)**PAGES (Including Cover Sheet):** 4**CONTENTS:** Response to Election of Species Requirement (2 pages)  
Certificate of Transmission (1 page)

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LUD 5582.1 DIV (10019655)  
(PATENT)

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Dated: October 5, 2005 Signature: Fani Malikouzakakis

(Fani Malikouzakakis)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Jacques V. Snick et al.

Application No.: 10/638,234

Confirmation No.: 4108

Filed: August 8, 2003

Art Unit: 1646

For: METHOD FOR MAKING CYTOKINE  
SPECIFIC ANTIBODIES AND USES  
THER EOF

Examiner: P. M. Mertz

**LETTER RE RESTRICTION REQUIREMENT**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The Office Action of September 27, 2005 requires restriction amongst claims 1-43.

Unfortunately, claims 1-43 were CANCELED via preliminary amendment of August 8, 2003. The pending claims are claims 44-62. Please see the attached copy of the Preliminary Amendment, and the stamped, self-addressed postcard indicating its receipt. PAIR indicates receipt as well.

At the very least, the preliminary amendment renders Groups 1, 2, 4, 5, 6, 7, and 9-13. Only original Groups 3, 8, and 14 are believed pertinent.

25582990.1

Application No.: 10/638,234

Docket No.: LUD 5582.1 DIV (10019655)

In view of this, it is believed the restriction requirement is improper and requires withdrawal.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 50-0624, under Order No. NY-LUD 5582.1 DIV (10019655) from which the undersigned is authorized to draw.

Dated: October 5, 2005

Respectfully submitted,

By 

Norman D. Hanson

Registration No.: 30,946

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PTO/SB/97 (09-04)

Approved for use through 07/31/2008. OMB 0651-0031

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Application No. (if known): 10/638,234

Attorney Docket No.: NY-LUD 5582-US1-DIV

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Response to Election of Species Requirement (2 pages)